

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**CR. NO. B-18-0361-001**

**JOSE LUIS GARZA-RIVERA**

**DEFENDANT'S NO OBJECTIONS TO THE PRE-SENTENCE INVESTIGATION  
REPORT AND REQUEST FOR VARIANCE OR DOWNWARD DEPARTURE**

COMES NOW, **JOSE LUIS GARZA-RIVERA**, the defendant, who, by and through his attorney of record hereby files this notice of No Objections to the Presentence Investigation Report and Request for Variance or Downward Departure, pursuant to Local Rule 326 and Federal Rules of Criminal Procedure 32.

Mr. Garza-Rivera is requesting from the Court a variance/downward departure. His guideline range is 24 to 30 months. He came back to the United States to marry his girlfriend who is a US citizen. Mr. Garza-Rivera is asking the Court to consider a sentence lower than what the guidelines call for perhaps a sentence of 18 months.

Mr. Garza-Rivera would further request for the Court not to impose a term of supervised release based on U.S.S.G. § 5D1.1(c). In his case, the statute does not require a term of supervised release and Mr. Garza-Rivera is a deportable alien who most likely will be deported after his term of imprisonment.

WHEREFORE, Mr. Garza-Rivera prays the Court to sustain these requests to the Pre-sentence Investigation Report.

Respectfully submitted,

MARJORIE A. MEYERS  
Federal Public Defender  
Southern District of Texas.  
Texas State Bar No. 14003750  
Southern District of Texas No. 3233

By: /s/ Arturo Vasquez  
ARTURO VASQUEZ  
Assistant Federal Public Defender  
Attorney in Charge  
Texas State Bar No. 24028187  
Southern District of Texas No. 38909  
600 E. Harrison Street, #102  
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Telephone: (956) 548-2573  
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**CERTIFICATE OF CONFERENCE**

I hereby certify that I have conferred with Assistant United States Attorney Elena Llanos-Salinas concerning this document, and she informed me that the government is opposed.

/s/ Arturo Vasquez  
ARTURO VASQUEZ  
Assistant Federal Public Defender

**CERTIFICATE OF SERVICE**

I, Arturo Vasquez, certify that on August 9, 2018, a copy of the foregoing **Defendant's No Objections to the Presentence Investigation Report and Request for Variance or Downward Departure** was served by Notification of Electronic Filing to the office of United States Probation Officer Aide Leal, and Assistant United States Attorney Elena Llanos-Salinas, 600 E. Harrison Street, #201, Brownsville, Texas 78520.

/s/ Arturo Vasquez  
ARTURO VASQUEZ  
Assistant Federal Public Defender